

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Fontell Demann Fuller,

Civ. No. 19-886 (PJS/BRT)

Plaintiff,

v.

ORDER

Stanley Hafoka, et al.,

Defendants.

On August 27, 2020, Plaintiff Fontell Demann Fuller filed a letter (Doc. No. 101) requesting that the Court reconsider its August 13, 2020 Order (Doc. No. 96), which denied Plaintiff's Motion for Discovery (Doc. No. 93).

Pursuant to District of Minnesota Local Rule 7.1(j),¹ the Court will only grant permission to file a motion to reconsider "upon a showing of compelling circumstances," such as to "correct manifest errors of law or fact or to present newly discovered evidence." *Buetow v. A.L.S. Enters., Inc.*, Civ. No. 07-3970 (RHK/JJK), 2010 WL 2104641, at *1 (D. Minn. May 21, 2010) (quoting D. Minn. LR 7.1(h) and *Mumid v. Abraham Lincoln High Sch.*, Civ. No. 05-2176 (PJS/JJG), 2008 WL 2938159, at *3 (D.

¹ At the time of the *Buetow* decision, the applicable Local Rule was Local Rule 7.1(h). Local Rule 7.1 was later amended and reorganized whereby the substance in paragraph (h) moved to paragraph (j).

Minn. July 22, 2008)²). A party cannot use a motion to reconsider “as a vehicle to reargue the merits of the underlying Motion.” *Id.*

After reviewing Plaintiff’s submission, the Court concludes that Plaintiff is not raising any matter that was not or could not have been addressed in his briefing and argument on his Motion for Discovery and is merely seeking to relitigate issues already considered by the Court. *See Arends v. Extendicare Homes, Inc.*, Civil No. 07-995 (DSD/SRN), 2008 WL 1924172, at *1 (D. Minn. Apr. 28, 2008) (“Therefore, because defendant is merely attempting to relitigate an old issue and has not established extraordinary circumstances . . . defendant’s request to file a motion to reconsider . . . is denied.”). Therefore, the Court finds that Plaintiff has not demonstrated compelling circumstances to justify permitting him to file a motion to reconsider.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff’s letter request (**Doc. No. 101**) is **DENIED**.

Date: September 1, 2020

s/ Becky R. Thorson
BECKY R. THORSON
United States Magistrate Judge

² At the time of the *Mumid* decision, the paragraph in Local Rule 7.1 that addressed requests for permission to file a motion to reconsider was paragraph (g).